

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

F041200 Protect Our Water et al. v. County of Merced and Calacaras Materials Inc.

Cause called and argued by Rose M. Zoia, Esq., counsel for appellant and by William E. Gnass, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Friday, May 16, 2003 at 10:00 A.M.

F042956 Asbestos Services, Inc. v. Nelson

F042961 Asbestos Services, Inc. v. Nelson

Pursuant to the stipulation of the parties, the two appeals referenced above are consolidated in this court for purposes of preparation of the clerk's transcript, the reporter's transcript, briefing, and oral argument. However, upon submission of the case, the court will vacate the consolidation order and separate opinions will be filed under the original appellate case numbers.

F041065 People v. Soria

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

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F041065 People v. Soria

The case is remanded for the trial court to correct the abstract of judgment to reflect that Soria's conviction on count four was for second degree robbery and that his conviction on count five was for possession of narcotics for sale. The trial court shall forward the corrected abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041497 People v. Martinez

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F041497 People v. Martinez

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042376 People v. Almanza

No brief having been filed by appellant after notice duly given under rule 37(b) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F040417 People v. Castro

Appellant's petition for rehearing filed herein is denied.

F041158 Montegani v. Johnson et al.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE
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F039520 Beckman v. County of Kern

The judgment is affirmed. Gomes, J.

We concur: Dibiaso, Acting P.J.; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041048 People v. Bailey

Appellant has died pending determination of this appeal.

IT IS THEREFORE ADJUDGED that all proceedings in the above entitled cause, and especially under the judgment therein rendered, have permanently abated, and the superior court of Merced County is to enter its appropriate order to that effect.

F039981 People v. Quesada

Filed modification of opinion (no change in judgment).

Appellant's petition for rehearing is denied.

Buckley, Acting P.J.

We concur: Wiseman, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042734 People v. Green et al.

Appellant Charles Earl Green has died pending determination of this appeal.

IT IS THEREFORE ADJUDGED that all proceedings in the above entitled cause, and especially under the judgment therein rendered, have permanently abated, and the superior court of Kern County is to enter its appropriate order to that effect as to appellant Charles Earl Green only. [Citation].

F041996 In re Tatiyana C. a Minor

Pursuant to stipulation filed jointly by the parties, the dispositional judgment is reversed and the matter is remanded for a new dispositional hearing in compliance with ICWA.